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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/869,408	10/01/2001	Francis Patrick Kleinitz	A70704DJBMAK	2608

7590 05/11/2004
Flehr Hohbach Test
Albritton & Herbert
Four Embarcadero Center Suite 3400
San Francisco, CA 94111

EXAMINER

KNOWLIN, THJUAN P

ART UNIT	PAPER NUMBER
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2642

9

DATE MAILED: 05/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/869,408

Applicant(s)

KLEINITZ ET AL.

Examiner

Thjuan P Knowlin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner. *"Sub..." "Rule 26..." should be deleted."*
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date. _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Granberg et al (US 6,101,387).
3. In regards to claims 1, 11, 22, 23, 25, and 26, Granberg discloses a call processing method and network system, including: processing characteristics data associated with a communications call at a network switch (Mobile Switching Center 14) to determine if intelligent network (IN) service data is required to establish said call; passing said characteristic data to a network service data gateway (Gateway Mobile Switching Center 12) when said service data is required; processing at least part of said characteristic data by said gateway to determine a network location to access in order to obtain said service data (col. 4 lines 54-63), and a communication protocol (MSC/VRL) for connecting to said network location (col. 5-6 lines 57-17); and obtaining said service data and passing said service data to said switch to establish said call (col. 4-5 lines 66-5).
4. In regards to claims 2, ~~12~~ 21, and 24, Granberg discloses a call processing method and network system, including storing said service data in said gateway for subsequent requests for said service data (col. 4 lines 54-63).

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5. In regards to claims 3 and 13, Granberg discloses a call processing method and network system, including deleting said service data from said gateway after a predetermined period of time (col. 3 lines 3-12).
6. In regards to claims 4 and 14, Granberg discloses a call processing method and network system, wherein said network location is in a central IN service data database (service database 32) (col. 6-7 lines 65-15).
7. In regards to claims 5 and 15, Granberg discloses a call processing method and network system, wherein said network location is in a local mobile network (col. 4-5 lines 66-21 and col. 7 lines 16-36).
8. In regards to claims 6 and 16, Granberg discloses a call processing method and network system, wherein said network location is in a foreign telecommunications network (col. 1 lines 38-41 and col. 3 lines 18-21).
9. In regards to claims 7 and 17, Granberg discloses a call processing method and network system, wherein said gateway is local to a user originating said call (col. 4 lines 54-65).
10. In regards to claims 8 and 18, Granberg discloses a call processing method and network system, wherein said gateway includes visitor computer logic for obtaining and caching service data for users in the area of said gateway (col. 4-5 lines 66-21).
11. In regards to claims 9 and 19, Granberg discloses a call processing method and network system, wherein said network location is within home computer logic including a central IN service data database (col. 5 lines 22-34 and col. 6-7 lines 65-15).

12. In regards to claims 10 and 20, Granberg discloses a call processing method, wherein said communication call includes a voice, data, or messaging connection (col. 6 lines 4-17).

Response to Arguments

13. Applicant's arguments filed 02/26/04 have been fully considered but they are not persuasive. Applicant states that Granberg fails to disclose processing "at least part of said characteristic data by said gateway to determine a network location to access in order to obtain said service data, and a communication protocol for connecting to said network location." Examiner respectfully disagrees with this argument. Granberg discloses a Gateway Mobile Switching Center (GMSC 12), which retrieves from a home location register (HLR 16), information needed for a mobile call setup, such as a network's location (col. 4 lines 54-63). Applicant argues that Granberg does not disclose or suggest a gateway processing data to determine a network location to access in order to obtain needed service data (col. 5 lines 49-56 and col. 5-6 lines 57-17).

Conclusion

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

15. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan P Knowlin whose telephone number is (703) 308-1727. The examiner can normally be reached on Mon-Fri 8:00-4:30pm.

17. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703)305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

18. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thjuan P. Knowlin
May 4, 2004


AHMAD F. MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2700

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